

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARMANDO GARIBO,

Petitioner,

vs.

TODD WASMER, Warden;

Respondent.

**8:21CV1**

**MEMORANDUM AND ORDER**

Petitioner filed a Petition for Writ of Habeas Corpus (filing 1) and a Motion for Leave to Proceed in Forma Pauperis (filing 5). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 filing fee. 28 U.S.C. § 1914(a). However, after considering Petitioner's financial status as shown in the records of this court (*see* inmate trust account statement at filing 7), leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the filing fee. *See* 28 U.S.C. § 1915(a)(1).

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (filing 5) is granted. The next step in this case is for the court to conduct a preliminary review of the habeas corpus petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The court will conduct this review in its normal course of business.

Dated this 12th day of February, 2021.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge